

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RALPH BUCK PHILLIPS,

Plaintiff,

v.

ORDER
08-CV-957A

GLEN GOORD, et al.,

Defendants.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On August 6, 2010, Magistrate Judge Scott filed a Report and Recommendation, recommending that the motion to dismiss the complaint as against defendant Goord be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the motion to dismiss the complaint as against defendant Goord is granted.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: August 23, 2010